

**HOUSE JOURNAL  
63RD LEGISLATURE  
TWELFTH LEGISLATIVE DAY**

Helena, Montana  
January 21, 2013

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Pease-Lopez. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Peppers, excused. Quorum present.

Minority Leader Hunter announced the Democrats would caucus. Without objection so ordered. Majority Leader Vance announced the Republicans would stand at ease.

House Recessed.  
House Reconvened.

**BILLS** (O'Hara, Chair):

1/21/2013

Correctly printed: **HB 36, HB 46, HB 50, HB 54, HB 64, HB 67, HB 82, HB 94, HB 110, HB 115, HB 124, HB 125, HB 129, HB 263, HB 264, HB 265, HB 266, HB 267, HB 268, HJR 2.**

Correctly engrossed: **HB 22, HB 131.**

Transmitted to the Senate: **HB 17, HB 40, HB 47, HB 52, HB 55, HB 58, HB 60, HB 107, HB 114, HB 137.**

Examined by the sponsor and found to be correct: **HB 1.**

Signed by the Speaker at 1:25 p.m., January 21, 2013: **HB 1.**

Signed by the Chief Clerk of the House at 1:30 p.m., January 21, 2013: **HB 1.**

Signed by the President at 1:35 p.m., January 21, 2013: **HB 1.**

Delivered to the Governor for approval at 1:53 p.m., January 21, 2013: **HB 1.**

**LEGISLATIVE ADMINISTRATION** (O'Hara, Chair):

1/21/2013

MR. SPEAKER:

We, your committee on Legislative Administration recommend that employment of the following pages of the House be ceased as of 8:00 a.m., Saturday, January 19, 2013:

Carter M. Webber, Billings  
Ian R. Ricketts, Polson  
Natalie A. Hill, Havre  
Olivia I.V. VanFleet, Kalispell

and recommend that the following pages of the House be employed as of 1:00 p.m., Monday, January 21, 2013:

Frankie Needles, Clinton  
Nathan Wyatt, Helena  
Kayla Hallock, Laurel  
Alex Wittorff, Shepherd

HOUSE JOURNAL  
TWELFTH LEGISLATIVE DAY - JANUARY 21, 2013

Ellen Kauzlarich, East Helena  
Rylee Trude, Clancy

Report Adopted.

**REPORTS OF STANDING COMMITTEES**

**HUMAN SERVICES** (Howard, Chair):

1/18/2013

**HB 131**, introduced bill, be amended as follows:

1. Title, page 1, line 8.

**Following:** "NEGLECT"

**Insert:** "OR INDIVIDUALS DESIGNATED BY THE MANDATORY REPORTER"

2. Page 2, line 9.

**Following:** "(5)"

**Insert:** "(a)"

3. Page 2, line 10.

**Following:** "with"

**Insert:** ": (i)"

**Following:** "official"

**Strike:** "regarding:"

**Insert:** "; or

(ii) other individuals with whom the professional or official works in an official capacity if the individuals are part of a team that responds to matters involving the child or the person about whom the report was made and the professional or official has asked that the information be shared with the individuals.

(b) The department may provide information regarding:"

4. Page 2, line 11.

**Strike:** "(a)"

**Insert:** "(i)"

**Renumber:** subsequent subsection

5. Page 2, line 13.

**Following:** "outcome"

**Strike:** ", the factual basis for the outcome,"

6. Page 2.

**Following:** "line 14"

**Insert:** "(c) Individuals who receive information pursuant to this subsection (5) shall maintain the confidentiality of the information as required by 41-3-205."

HOUSE JOURNAL  
TWELFTH LEGISLATIVE DAY - JANUARY 21, 2013

And, as amended, do pass. Report adopted.

**BUSINESS AND LABOR** (Berry, Chair):  
**HB 22**, introduced bill, be amended as follows:

1/21/2013

1. Title, line 8 through line 9.

**Strike:** "CLARIFYING" on line 8 through "COUNTRY";" on line 9

2. Title, line 10.

**Following:** "MEETINGS;"

**Insert:** "MODIFYING MEMBERSHIP REQUIREMENTS FOR THE GUARANTY ASSOCIATION BOARD OF DIRECTORS;"

3. Title, line 10.

**Strike:** "DEFINITIONS"

**Insert:** "DEFINITION"

**Strike:** "AND "PUBLIC ADJUSTER""

4. Title, line 15 through line 16.

**Strike:** "A" on line 15 through "COMPANY" on line 16

**Insert:** "ANY CAPTIVE INSURANCE COMPANY TO MAKE LOANS TO ITS AFFILIATES"

5. Title, line 19.

**Following:** "33-4-302,"

**Insert:** "33-10-104,"

6. Title, line 20.

**Following:** "33-17-1101,"

**Insert:** "33-20-509,"

7. Page 8, line 26.

**Strike:** "within the United States"

**Insert:** "in any state"

8. Page 12, following line 25

**Insert:** "**Section 10.** Section 33-10-104, MCA, is amended to read:

**"33-10-104. Board of directors -- commissioner approval -- compensation.** (1) The board of directors of the association consists of not less than seven or more than nine persons serving terms as established in the plan of operation. Two of the members must be appointed from the public at large by the commissioner. The other members of the board must be member insurers and must be selected by member insurers subject to the approval of the commissioner. Vacancies on the board must be filled for the remaining period of the term in the same manner as initial appointments.

(2) In approving selections to the board, the commissioner shall consider among other things whether all member insurers are fairly represented.

HOUSE JOURNAL  
TWELFTH LEGISLATIVE DAY - JANUARY 21, 2013

(3) Members of the board may be reimbursed from the assets of the association for expenses incurred by them as members of the board of directors."

**Renumber:** subsequent sections

9. Page 15, line 22.

**Strike:** "solely"

10. Page 17, line 3.

**Following:** "of"

**Insert:** "business"

11. Page 17, line 24 through line 27.

**Strike:** line 24 through line 27 in their entirety

**Insert:** "(ii) if not a resident of this state, shall designate a home state in which the adjuster does not maintain a place of business or residence if:

(A) the adjuster's principal state of business or residence does not offer adjuster licensure; and

(B) the adjuster qualifies for the license as if the adjuster were a resident of the designated home state;"

12. Page 18, line 30 through page 19, line 4.

**Strike:** page 18, line 30 through page 19, line 4 in their entirety

**Insert:** "(ii) if not a resident of this state, shall designate a home state in which the consultant does not maintain a place of business or residence if:

(A) the consultant's principal state of business or residence does not offer consultant licensure; and

(B) the consultant qualifies for the license as if the consultant were a resident of the designated home state."

13. Page 19, following line 29.

**Insert:** "**Section 17.** Section 33-20-509, MCA, is amended to read:

**"33-20-509. Maturity date.** For the purpose of determining the benefits calculated under 33-20-507 and 33-20-508, ~~in the case of annuity contracts under which an election may be made to have annuity payments commence at optional maturity dates,~~ the maturity date is the latest date for which election is permitted by the contract but may not be later than the anniversary of the contract next following the annuitant's 70th birthday or the 10th anniversary of the contract, whichever is later."

**Renumber:** subsequent sections

14. Page 25, line 18.

**Strike:** "company"

**Insert:** "group"

15. Page 26, line 21.

**Strike:** "A pure"

HOUSE JOURNAL  
TWELFTH LEGISLATIVE DAY - JANUARY 21, 2013

**Insert:** "Any"

**Strike:** "or" through "company"

16. Page 26, line 22.

**Strike:** "its parent company or"

**Insert:** "any of its"

**Strike:** "to a parent company or any affiliate"

And, as amended, do pass. Report adopted.

**MESSAGES FROM THE SENATE**

**Senate bills** passed and transmitted to the House for concurrence:

1/19/2013

**SB 8**, introduced by Murphy

**SB 53**, introduced by Driscoll

**SB 64**, introduced by Facey

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 263**, introduced by Ingraham, D. Moore, referred to Human Services.

**HB 264**, introduced by Ingraham, D. Moore, referred to Business and Labor.

**HB 265**, introduced by Fitzpatrick, Noonan, referred to State Administration.

**HB 266**, introduced by Shaw, Ankney, Debby Barrett, Keane, Sesso, Welborn, referred to Appropriations.

**HB 267**, introduced by Hollandsworth, Hamlett, referred to Appropriations.

**HB 268**, introduced by Hertz, Blasdel, Miller, Tutvedt, Vance, referred to Taxation.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Fitzpatrick in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 36** - Representative Boland moved **HB 36** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan,

HOUSE JOURNAL  
TWELFTH LEGISLATIVE DAY - JANUARY 21, 2013

Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Voted Absentee: Peppers, AYE.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 46** - Representative Ingraham moved **HB 46** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.  
Total 98

Nays: Miller, Zolnikov.  
Total 2

Voted Absentee: Peppers, AYE.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

HOUSE JOURNAL  
TWELFTH LEGISLATIVE DAY - JANUARY 21, 2013

**HB 50** - Representative Howard moved **HB 50** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 59

Nays: Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Schwaderer, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 41

Voted Absentee: Peppers, NO.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 54** - Representative Ingraham moved **HB 54** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Voted Absentee: Peppers, AYE.

Excused: None.

HOUSE JOURNAL  
TWELFTH LEGISLATIVE DAY - JANUARY 21, 2013

Total 0

Absent or not voting: None.

Total 0

**HB 64** - Representative Ingraham moved **HB 64** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 92

Nays: Fitzpatrick, Halvorson, Knudsen, C. Smith, Vance, Welborn, Zolnikov.

Total 7

Voted Absentee: Peppers, AYE.

Excused: None.

Total 0

Absent or not voting: Harris.

Total 1

**HB 67** - Representative B. Bennett moved **HB 67** do pass. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Gibson, Glimm, Greef, Gursky, Hagan, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Lang, Laszloffy, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Reichner, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Warburton, Washburn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 69

Nays: Ballance, J. Bennett, Berry, Brodehl, Doane, Fiscus, Fitzpatrick, Flynn, Galt, Hagstrom, Halvorson, Hansen, Howard, Jones, Kary, Kerns, Knudsen, Lavin, Lenz, McNiven, Miller, Randall, Redfield, Salomon, C. Smith, Vance, Wagoner, Welborn, White, Zolnikov, Mr. Speaker.

HOUSE JOURNAL  
TWELFTH LEGISLATIVE DAY - JANUARY 21, 2013

Total 31

Voted Absentee: Peppers, AYE.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 82** - Representative Reichner moved **HB 82** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.

Total 0

Voted Absentee: Peppers, AYE.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 94** - Representative Lieser moved **HB 94** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fiscus, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jacobson, Jones, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg,

HOUSE JOURNAL  
TWELFTH LEGISLATIVE DAY - JANUARY 21, 2013

Swanson, Warburton, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov,  
Mr. Speaker.  
Total 80

Nays: J. Bennett, Doane, Edmunds, Fitzpatrick, Flynn, Galt, Harris, Hoven, Kary, Kerns,  
Knudsen, Lang, Lavin, Miller, Randall, Redfield, Regier, Vance, Wagoner, Welborn.  
Total 20

Voted Absentee: Peppers, AYE.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 110** - Representative Pease-Lopez moved **HB 110** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs,  
Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck,  
Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan,  
Hagstrom, Halvorson, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter,  
Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch,  
MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore,  
Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price,  
Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires,  
Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams,  
Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 95

Nays: Hansen, Harris, O'Neil, Schwaderer, Warburton.  
Total 5

Voted Absentee: Peppers, AYE.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 115** - Representative Clark moved **HB 115** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs,  
Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck,

HOUSE JOURNAL  
TWELFTH LEGISLATIVE DAY - JANUARY 21, 2013

Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Voted Absentee: Peppers, AYE.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 124** - Representative O'Hara moved **HB 124** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 93

Nays: J. Bennett, Kerns, Knudsen, Lenz, O'Neil, Randall, C. Smith.  
Total 7

Voted Absentee: Peppers, AYE.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

HOUSE JOURNAL  
TWELFTH LEGISLATIVE DAY - JANUARY 21, 2013

**HB 125** - Representative O'Hara moved **HB 125** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 89

Nays: Doane, Edmunds, Fiscus, Fitzpatrick, Hoven, Kerns, Laszloffy, O'Neil, C. Smith, Warburton, Zolnikov.

Total 11

Voted Absentee: Peppers, AYE.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 129** - Representative Gibson moved **HB 129** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 92

Nays: Edmunds, Fiscus, Fitzpatrick, Miller, O'Neil, Randall, Warburton, Zolnikov.

Total 8

Voted Absentee: Peppers, AYE.

Excused: None.

HOUSE JOURNAL  
TWELFTH LEGISLATIVE DAY - JANUARY 21, 2013

Total 0

Absent or not voting: None.

Total 0

**HJR 2** - Representative Hollenbaugh moved **HJR 2** be adopted. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Edmunds, Kerns, C. Smith, Warburton.

Total 4

Voted Absentee: Peppers, AYE.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Fitzpatrick moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 100

HOUSE JOURNAL  
TWELFTH LEGISLATIVE DAY - JANUARY 21, 2013

Nays: None.

Total 0

Voted Absentee: Peppers, AYE.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 26** passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boss Ribs, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, McCarthy, McChesney, McNiven, Mehlhoff, Miller, Moore, O'Hara, O'Neil, Osmundson, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Woods, Zolnikov, Mr. Speaker.

Total 77

Nays: Boland, Brockie, Court, Curtis, Dudik, Eck, Harris, Lynch, MacDonald, McClafferty, McNally, Neill, Noonan, Pease-Lopez, Pomnichowski, Price, Squires, Swanson, Williams, Wilmer, Wilson.

Total 21

Voted Absentee: None.

Excused: Peppers.

Total 1

Absent or not voting: Hagstrom.

Total 1

**HB 32** passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds,

HOUSE JOURNAL  
TWELFTH LEGISLATIVE DAY - JANUARY 21, 2013

Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Court.

Total 1

Voted Absentee: None..

Excused: Peppers.

Total 1

Absent or not voting: None.

Total 0

**HB 111** passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Squires.

Total 1

Voted Absentee: None..

Excused: Peppers.

Total 1

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
TWELFTH LEGISLATIVE DAY - JANUARY 21, 2013

**HB 136** passed as follows:

Yeas: Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Voted Absentee: None.

Excused: Peppers.

Total 1

Absent or not voting: Ankney.

Total 1

**HB 142** passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 90

Nays: J. Bennett, Blyton, Fiscus, Kerns, O'Neil, Schwaderer, C. Smith, Zolnikov.

Total 8

Voted Absentee: None.

Excused: Peppers.

HOUSE JOURNAL  
TWELFTH LEGISLATIVE DAY - JANUARY 21, 2013

Total 1

Absent or not voting: Hagstrom.

Total 1

**HB 148** passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Williams.

Total 1

Voted Absentee: None.

Excused: Peppers.

Total 1

Absent or not voting: None.

Total 0

**HB 164** passed as follows:

Yeas: Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

HOUSE JOURNAL  
TWELFTH LEGISLATIVE DAY - JANUARY 21, 2013

Total 0

Voted Absentee: None.

Excused: Peppers.  
Total 1

Absent or not voting: Ankney.  
Total 1

**MOTIONS**

Representative Gibson moved to change his vote on **HB 136** from No to Yes. Without objection, so ordered.

**UNFINISHED BUSINESS**

Mr Speaker I move that following undersigned name be **ADDED** as sponsor to **HB 235**

**HB 235** (Hill Chief Sponsor)  
Representatives Kerns.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 1:00 p.m., Tuesday, January 22, 2013. Motion carried.

House adjourned at 2:45 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

MARK BLASDEL  
Speaker of the House